

6 September 1955

MEMORANDUM FOR: Executive Secretary, Incentive Awards Committee

SUBJECT : Employee Suggestion Number 1952

REFERENCE : Your Memorandum, Same Subject, Dated 30 August 1955

1. Your memorandum requested an evaluation by this Office of Employee Suggestion Number 1952.

2. The suggestor proposes that a regulation be issued which would establish the "... authority and tenure" of persons assigned in "acting" supervisory capacities - this to the ends of contributing "... substantially to elimination of instances of indiscipline, inaction and unsatisfactory employee morale which result in the reluctance of acting chiefs to act".

3. We would have no legal objection to such a regulation. However, it is our impression that, in all but certain specialized instances of statutorily non-delegable authority, none of which would appear to be involved here, "acting" supervisors in the federal service are vested with the authorities and responsibilities of those for whom they are acting. This being so, we suggest that any reluctance to act on the parts of acting supervisors perhaps might be traceable to circumstances not necessarily susceptible to control by regulation.

4. On the basis of the foregoing, it is the opinion of this Office that the employee suggestion would offer no substantial, or necessarily meritorious, contributions to the conduct of the Government's business.

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Office of General Counsel

OGC:HF:ss

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